

EXHIBIT B

Service/ Summons

EXHIBIT B

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STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

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Solicitor General

DATE/TIME RECEIVED: 9-9-2020 2020 RECEIVED BY (OAG): K Rutledge
NAME OF SERVING PERSON/ENTITY: Reno - Carson Messenger (Robt)
CASE NAME: Lincoln County Water District v. Vidler
Water Company v State of Nevada Department of
Conservation & Natural Resources; Division of Water
Resources; Nevada State Engineer
CASE NUMBER: CN0903320 COURT: 7th JD
DOCUMENT(S) RECEIVED: Summons; jury Demand;
Complaint

NOTICE

NRS 41.031(2) provides in part that, in any action against the State of Nevada, the action must be brought in the name of the State of Nevada on relation of the particular department, commission, board or other agency of the state whose actions are the basis for the suit. In an action against the State of Nevada, the summons and a copy of the complaint must be served upon the Attorney General, at the Office of the Attorney General in Carson City and upon the person serving in the office of administrative head of the named agency. **Service on the Attorney General or designee does not constitute service on any individual or administrative head.**

This Receipt acknowledges that the documents described herein have been received by the Nevada Attorney General or the designee authorized by NRS 41.031(2)(a). This Receipt does not ensure that any party, person or agency has been properly served, nor does it waive any legal requirement for service.

Receipt of a subpoena by the Office of the Attorney General does not constitute valid service of the subpoena upon any individual or upon any state agency, except the Office of the Attorney General. **Receipt of summons and complaint or any other process by the Attorney General or designee does not constitute service upon any individual, nor does it constitute service upon the administrative head of an agency pursuant to NRS 41.**

Case No. CN0903320

Dept. No. _____

In the Seventh Judicial District Court of the State of Nevada
in and for the County of Lincoln

SUMMONS

LINCOLN COUNTY WATER DISTRICT,
a political subdivision of the State of Nevada,
and VIDLER WATER COMPANY, INC., a
Nevada corporation,

Plaintiffs,

vs.

STATE OF NEVADA, DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES, DIVISION OF WATER
RESOURCES, AND NEVADA STATE
ENGINEER,

Defendant.

THE STATE OF NEVADA SENDS GREETINGS TO THE ABOVE-NAMED RESPONDENT:

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING
HEARD UNLESS YOU RESPOND WITHIN 21 DAYS. READ THE INFORMATION BELOW.**

TO THE RESPONDENT: A civil Complaint has been filed by the plaintiffs against you.

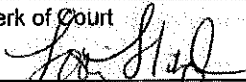
1. If you wish to defend this lawsuit, you must, within 21 days after this Summons is served on you, exclusive of the day of service, file with this Court a written pleading in response to this Complaint.
2. Unless you respond, your default will be entered upon application of the plaintiffs, and this Court may enter a judgment against you for the relief demanded in the Complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiffs' attorney, whose address is:

KAREN A. PETERSON, Esq.
ALLISON MacKENZIE, LTD.
402 North Division Street
Carson City, NV 89703
(775) 687-0202

DYLAN V. FREHNER, Esq.
LINCOLN COUNTY DISTRICT ATTORNEY
P.O. Box 60
Pioche, NV 89043
(775) 962-8073

Clerk of Court

By


Deputy Clerk

Date: September 2, 2020

*Note - When service by publication, insert a brief statement of the object of the action. See Rule 4.
RETURN OF SERVICE ON REVERSE SIDE

STATE OF _____)
) ss.
 COUNTY OF _____)

AFFIDAVIT OF SERVICE (For General Use)

_____, declares under penalty of perjury:
 That affiant is, and was on the day when he served the within Summons, over 18 years of age, and not a party to, nor interested in, the within action; that the affiant received the Summons on the _____ day of _____, 20____, and personally served the same upon _____, the within named respondent, on the _____ day of _____, 20____, by delivering to the said respondent, personally, in _____, County of _____, State of _____, a copy of the Summons attached to a copy of the Complaint.
 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed this _____ day of _____, 20____.

 Signature of person making service

STATE OF NEVADA)
) ss.
 CARSON CITY)

NEVADA SHERIFF'S RETURN (For Use of Sheriff of Carson City)

I hereby certify and return that I received the within Summons on the _____ day of _____, 20____, and personally served the same upon _____, the within named respondent, on the _____ day of _____, 20____, by delivering to the said respondent, personally, in Carson City, State of Nevada, a copy of the Summons attached to a copy of the Complaint.

 Sheriff of Carson City, Nevada

Date: _____, 20____

By _____

Deputy

STATE OF NEVADA)
) ss.
 COUNTY OF _____)

AFFIDAVIT OF MAILING (For Use When Service is by Publication and Mailing)

_____, declares under penalty of perjury:
 That affiant is, and was when the herein described mailing took place, over 18 years of age, and not a party to, nor interested in, the within action; that on the _____ day of _____, 20____, affiant deposited in the Post Office at _____, Nevada, a copy of the within Summons attached to a copy of the Complaint, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to _____, the within named respondent, at _____; that there is a regular communication by mail between the place of mailing and the place so addressed.
 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed this _____ day of _____, 20____.

NOTE - If service is made in any manner permitted by Rule 4 other than personally upon the respondent, or is made outside the United States, a special affidavit or return must be made.

RECEIVED

SEP 09 2020

STATE ENGINEER'S OFFICE

Case No. CVO903320

Dept. No. _____

In the Seventh Judicial District Court of the State of Nevada
in and for the County of Lincoln

SUMMONS

1st Additional

LINCOLN COUNTY WATER DISTRICT,
a political subdivision of the State of Nevada,
and VIDLER WATER COMPANY, INC., a
Nevada corporation,

Plaintiffs,

vs.

STATE OF NEVADA, DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES, DIVISION OF WATER
RESOURCES, AND NEVADA STATE
ENGINEER,

Defendant.

THE STATE OF NEVADA SENDS GREETINGS TO THE ABOVE-NAMED RESPONDENT:

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING
HEARD UNLESS YOU RESPOND WITHIN 21 DAYS. READ THE INFORMATION BELOW.**

TO THE RESPONDENT: A civil Complaint has been filed by the plaintiffs against you.

1. If you wish to defend this lawsuit, you must, within 21 days after this Summons is served on you, exclusive of the day of service, file with this Court a written pleading in response to this Complaint.
2. Unless you respond, your default will be entered upon application of the plaintiffs, and this Court may enter a judgment against you for the relief demanded in the Complaint*, which could result in the taking of money or property or the relief requested in the Complaint.
3. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. You are required to serve your response upon plaintiffs' attorney, whose address is:

KAREN A. PETERSON, Esq.
ALLISON MacKENZIE, LTD.
402 North Division Street
Carson City, NV 89703
(775) 687-0202

DYLAN V. FREHNER, Esq.
LINCOLN COUNTY DISTRICT ATTORNEY
P.O. Box 60
Pioche, NV 89043
(775) 962-8073

Clerk of Court

Date: September 3, 2020

By


Deputy Clerk

*Note - When service by publication, insert a brief statement of the object of the action. See Rule 4.

RETURN OF SERVICE ON REVERSE SIDE

STATE OF _____)
 : ss.
 COUNTY OF _____)

AFFIDAVIT OF SERVICE
(For General Use)

_____, declares under penalty of perjury:
 That affiant is, and was on the day when he served the within Summons, over 18 years of age, and not a party to, nor interested in, the within action; that the affiant received the Summons on the _____ day of _____, 20____, and personally served the same upon _____, the within named respondent, on the _____ day of _____, 20____, by delivering to the said respondent, personally, in _____ County of _____, State of _____, a copy of the Summons attached to a copy of the Complaint.
 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed this _____ day of _____, 20____. _____
 Signature of person making service

STATE OF NEVADA)
 : ss.
 CARSON CITY)

NEVADA SHERIFF'S RETURN
(For Use of Sheriff of Carson City)

I hereby certify and return that I received the within Summons on the _____ day of _____, 20____, and personally served the same upon _____, the within named respondent, on the _____ day of _____, 20____, by delivering to the said respondent, personally, in Carson City, State of Nevada, a copy of the Summons attached to a copy of the Complaint.

 Sheriff of Carson City, Nevada

Date: _____, 20____ By _____
 Deputy

STATE OF NEVADA)
 : ss.
 COUNTY OF _____)

AFFIDAVIT OF MAILING
(For Use When Service is by Publication and Mailing)

_____, declares under penalty of perjury:
 That affiant is, and was when the herein described mailing took place, over 18 years of age, and not a party to, nor interested in, the within action; that on the _____ day of _____, 20____, affiant deposited in the Post Office at _____, Nevada, a copy of the within Summons attached to a copy of the Complaint, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to _____, the within named respondent, at _____; that there is a regular communication by mail between the place of mailing and the place so addressed.
 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed this _____ day of _____, 20____.

NOTE - If service is made in any manner permitted by Rule 4 other than personally upon the respondent, or is made outside the United States, a special affidavit or return must be made.
 4817-5188-2946, v. 1